

CLOSED

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)  
CRIMINAL DOCKET FOR CASE #: 2:22-mj-00224-DUTY-1**

Case title: USA v. Bias

Date Filed: 01/19/2022

Other court case number: 3:21-MJ-731-BH Northern District of Texas

Date Terminated: 01/20/2022

Assigned to: Duty Magistrate Judge

**Defendant (1)****David Bias**

REG 82227-509

TERMINATED: 01/20/2022

represented by **Adithya Mani**

Federal Public Defenders Office

321 East 2nd Street

Los Angeles, CA 90012

213-894-2854

Fax: 213-894-0081

Email: Adithya\_Mani@fd.org

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Public Defender or Community  
Defender Appointment***Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition****Plaintiff****USA**represented by **US Attorney's Office**

AUSA - Office of US Attorney

Criminal Division - US Courthouse

312 North Spring Street 12th Floor

Los Angeles, CA 90012-4700

213-894-2434

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Assistant US Attorney

Date Filed	#	Docket Text
01/19/2022	<a href="#">1</a>	AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant David Bias, originating in the Northern District of Texas. Defendant charged in violation of: 21:846. Signed by agent Job Gudino, DUSM, USMS. filed by Plaintiff USA. (cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">2</a>	REPORT COMMENCING CRIMINAL ACTION as to Defendant David Bias; defendants Year of Birth: 1992; date of arrest: 1/18/2022 USMS# 82227-509 (cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">3</a>	<b>SEALED</b> Defendant David Bias arrested on warrant issued by the USDC Northern District of Texas at Dallas. (Attachments: # <a href="#">1</a> Out-of-District Complaint)(cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">4</a>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant David Bias (cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">5</a>	MINUTES OF granting <a href="#">4</a> REQUEST for Detention as to David Bias (1); ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Jean P. Rosenbluth as to Defendant David Bias. Contested detention hearing held. Defendant arraigned. Attorney: Adithya Mani for David Bias, Deputy Federal Public Defender, present. Court orders defendant Permanently detained. Defendant remanded to the custody or currently in the custody of the US Marshal. Court orders defendant held to answer to Northern District of Texas. Warrant of Removal and final commitment to issue. Court notes gov't provided no reporting instructions. Government moves to UNSEAL: granted. Court Smart: CS 01/19/2022. (cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">6</a>	ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant David Bias. (cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">7</a>	CONSENT to Video Conference/Telephonic Conference filed by Defendant David Bias. (cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">8</a>	FINANCIAL AFFIDAVIT filed as to Defendant David Bias. ( <b>Not for Public View</b> pursuant to the E-Government Act of 2002) (cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">9</a>	WAIVER OF RIGHTS approved by Magistrate Judge Jean P. Rosenbluth as to Defendant David Bias. (cio) (Entered: 01/24/2022)
01/19/2022	<a href="#">10</a>	ORDER OF DETENTION by Magistrate Judge Jean P. Rosenbluth as to Defendant David Bias, (cio) (Entered: 01/24/2022)
01/20/2022	<a href="#">11</a>	WARRANT OF REMOVAL AND COMMITMENT by Magistrate Judge Jean P. Rosenbluth that Defendant David Bias be removed to the Northern District of Texas (cio) (Entered: 01/24/2022)
01/24/2022		Notice to Northern District of Texas of a Rule 5 or Rule 32 Initial Appearance as to Defendant David Bias. Your case number is: 3:21-MJ-731-BH. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: <a href="#">5</a> Order on Request for Detention,, Initial Appearance - Arrest on Out of District Warrant - Rule 5(c)(3) (fka Rule 40),,. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@caed.uscourts.gov (cio) (Entered: 01/24/2022)

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

NY - [redacted] JR

~~BAIRD-2443~~ 3:21-MJ-731-BH

22 MJ 00224  
ATION RE  
ICT WARRANT

DECLARATION RE OUT-OF-DISTRICT WARRANT

FILED

Submit this form by e-mail to:

CrimIntakeCourtDocs-LA@cacd.uscourts.gov For Los Angeles criminal duty.

CrimIntakeCourtDocs-SA@cacd.uscourts.gov For Santa Ana criminal duty.

CrimIntakeCourtDocs-RS@cacd.uscourts.gov For Riverside criminal duty.

2022 JAN 19 AM 9:49

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY JB

UNITED STATES OF AMERICA

PLAINTIFF

CASE NUMBER:

3:21-MJ-731-BH

David Bias

REPORT COMMENCING CRIMINAL

ACTION

USMS# 82227-509

DEFENDANT

TO: CLERK'S OFFICE, U.S. DISTRICT COURT

22MJ00224

All areas must be completed. Any area not applicable or unknown should indicate "N/A".

1. The defendant was arrested in this district on 1-18-22 at        ☐ AM ☐ PM

or

The defendant was arrested in the        District of        on        at        ☐ AM ☐ PM

2. The above named defendant is currently hospitalized and cannot be transported to court for arraignment or any other preliminary proceeding: ☐ Yes ☒ No

3. Defendant is in U.S. Marshals Service lock-up (in this court building): ☒ Yes ☐ No

4. Charges under which defendant has been booked:

21 USC 846

5. Offense charged is a: ☒ Felony ☐ Minor Offense ☐ Petty Offense ☐ Other Misdemeanor

6. Interpreter Required: ☒ No ☐ Yes Language:       

7. Year of Birth: 1992

8. Defendant has retained counsel: ☒ No

☐ Yes Name:        Phone Number:       

9. Name of Pretrial Services Officer notified: DUTY PTS OFFICER

10. Remarks (if any):       

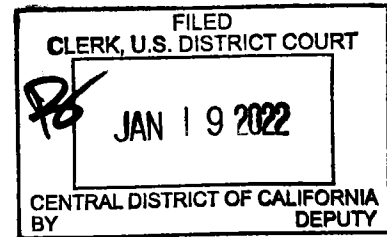
11. Name: Job Gutierrez (please print)

12. Office Phone Number: 213-620-7676

13. Agency: USMS

14. Signature: Job Gutierrez

15. Date: 1-19-2022



1 TRACY L. WILKISON  
United States Attorney  
2 SCOTT M. GARRINGER  
Assistant United States Attorney  
3 Chief, Criminal Division  
ANGELA C. MAKABALI (Cal. Bar No. 296824)  
4 Special Assistant United States Attorney  
General Crimes Section  
5 1200 United States Courthouse  
312 North Spring Street  
6 Los Angeles, California 90012  
Telephone: (213) 894-2331  
7 Facsimile: (213) 894-0141  
E-mail: angela.makabali@usdoj.gov

8 Attorneys for Plaintiff  
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DAVID BIAS,

16 Defendant.

No. CR 2:22-mj-224-DUTY

GOVERNMENT'S NOTICE OF REQUEST FOR  
DETENTION

17  
18 Plaintiff, United States of America, by and through its counsel  
19 of record, hereby requests detention of defendant and gives notice of  
20 the following material factors:

21 ☐ 1. Temporary 10-day Detention Requested (§ 3142(d)) on the  
22 following grounds:

23 ☐ a. present offense committed while defendant was on release  
24 pending (felony trial),

25 ☐ b. defendant is an alien not lawfully admitted for  
26 permanent residence; and  
27  
28

- 1        ☐ c.     defendant may flee; or
- 2        ☐ d.     pose a danger to another or the community.
- 3        ☒ 2.     Pretrial Detention Requested (§ 3142(e)) because no
- 4                      condition or combination of conditions will reasonably
- 5                      assure:
- 6                ☒ a.     the appearance of the defendant as required;
- 7                ☒ b.     safety of any other person and the community.
- 8        ☐ 3.     Detention Requested Pending Supervised Release/Probation
- 9                      Revocation Hearing (Rules 32.1(a)(6), 46(d), and 18 U.S.C.
- 10                     § 3143(a)):
- 11                ☐ a.     defendant cannot establish by clear and convincing
- 12                      evidence that he/she will not pose a danger to any
- 13                      other person or to the community;
- 14                ☐ b.     defendant cannot establish by clear and convincing
- 15                      evidence that he/she will not flee.
- 16        ☒ 4.     Presumptions Applicable to Pretrial Detention (18 U.S.C.
- 17                      § 3142(e)):
- 18                ☒ a.     Title 21 or Maritime Drug Law Enforcement Act ("MDLEA")
- 19                      (46 U.S.C. App. 1901 et seq.) offense with 10-year or
- 20                      greater maximum penalty (presumption of danger to
- 21                      community and flight risk);
- 22                ☐ b.     offense under 18 U.S.C. §§ 924(c), 956(a), 2332b, or
- 23                      2332b(g)(5)(B) with 10-year or greater maximum penalty
- 24                      (presumption of danger to community and flight risk);
- 25                ☐ c.     offense involving a minor victim under 18 U.S.C.
- 26                      §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251,
- 27                      2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-2252A(a)(4),
- 28

2260, 2421, 2422, 2423 or 2425 (presumption of danger to community and flight risk);

- ☐ d. defendant currently charged with an offense described in paragraph 5a - 5e below, AND defendant was previously convicted of an offense described in paragraph 5a - 5e below (whether Federal or State/local), AND that previous offense was committed while defendant was on release pending trial, AND the current offense was committed within five years of conviction or release from prison on the above-described previous conviction (presumption of danger to community).

☒ 5. Government Is Entitled to Detention Hearing Under § 3142(f)  
If the Case Involves:

- ☐ a. a crime of violence (as defined in 18 U.S.C. § 3156(a)(4)) or Federal crime of terrorism (as defined in 18 U.S.C. § 2332b(g)(5)(B)) for which maximum sentence is 10 years' imprisonment or more;
- ☐ b. an offense for which maximum sentence is life imprisonment or death;
- ☒ c. Title 21 or MDLEA offense for which maximum sentence is 10 years' imprisonment or more;
- ☐ d. any felony if defendant has two or more convictions for a crime set forth in a-c above or for an offense under state or local law that would qualify under a, b, or c if federal jurisdiction were present, or a combination or such offenses;

☐ e. any felony not otherwise a crime of violence that involves a minor victim or the possession or use of a firearm or destructive device (as defined in 18 U.S.C. § 921), or any other dangerous weapon, or involves a failure to register under 18 U.S.C. § 2250;

☒ f. serious risk defendant will flee;

☐ g. serious risk defendant will (obstruct or attempt to obstruct justice) or (threaten, injure, or intimidate prospective witness or juror, or attempt to do so).

☐ 6. Government requests continuance of \_\_\_\_ days for detention hearing under § 3142(f) and based upon the following reason(s):

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☐ 7. Good cause for continuance in excess of three days exists in  
that:

Dated: January 19, 2022

Respectfully submitted,

TRACY L. WILKISON  
United States Attorney

SCOTT M. GARRINGER  
Assistant United States Attorney  
Chief, Criminal Division

/s/ Angela C. Makabali  
ANGELA C. MAKABALI  
Special Assistant U.S. Attorney

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

David Bias

Defendant.

Western Division

Case Number: 2:22-MJ-00224

Initial App. Date: 01/19/2022

Initial App. Time: 1:00 PM

~~UNDER SEAL~~

Out of District Affidavit

Custody

Date Filed: 01/19/2022

Violation: 21-846

CourtSmart/ Reporter: CS 1/19/2022

PROCEEDINGS HELD BEFORE UNITED STATES  
MAGISTRATE JUDGE: Jean P. Rosenbluth

CALENDAR/PROCEEDINGS SHEET  
LOCAL/OUT-OF-DISTRICT CASE

PRESENT:

Martinez, Beatriz

*Deputy Clerk*

Angela Makabali  
*Assistant U.S. Attorney*

None

*Interpreter/Language*

☐ INITIAL APPEARANCE NOT HELD - CONTINUED

☒ Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).

☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and

☐ preliminary hearing OR ☒ removal hearing / Rule 20.

☐ Defendant states true name ☐ is as charged ☐ is \_\_\_\_\_

☐ Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.

☒ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered **SEALED**.

☒ Attorney: Adithya Mani, DFPD ☒ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)

☐ Special appearance by: \_\_\_\_\_

☒ Government's request for detention is: ☒ GRANTED ☐ DENIED ☐ WITHDRAWN ☐ CONTINUED

☒ Contested detention hearing is held. ☐ Defendant is ordered: ☒ Permanently Detained ☐ Temporarily Detained (see separate order).

☐ BAIL FIXED AT \$ \_\_\_\_\_ (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)

☒ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☒ GRANTED ☐ DENIED

☐ Preliminary Hearing waived. ☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties

☐ This case is assigned to Magistrate Judge \_\_\_\_\_. Counsel are directed to contact the clerk for the setting of all further proceedings.

☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for

District Judge \_\_\_\_\_ for the setting of further proceedings.

☐ Preliminary Hearing set for \_\_\_\_\_ at 4:30 PM \_\_\_\_\_

☐ PIA set for: \_\_\_\_\_ at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana

☐ Government's motion to dismiss case/defendant \_\_\_\_\_ only: ☐ GRANTED ☐ DENIED

☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED

☒ Defendant executed Waiver of Rights. ☐ Process received.

☒ Court ORDERS defendant Held to Answer to Northern District of Texas.

☐ Bond to transfer, if bail is posted. Defendant to report on or before

☒ Warrant of removal and final commitment to issue. Date issued: 1/19/2022 By CRD: B. Martinez

☐ Warrant of removal and final commitment are ordered stayed until \_\_\_\_\_

☐ Case continued to (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ AM / PM

Type of Hearing: \_\_\_\_\_ Before Judge \_\_\_\_\_ /Duty Magistrate Judge.

Proceedings will be held in the ☐ Duty Courtroom ☐ Judge's Courtroom \_\_\_\_\_

☒ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.

☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.

☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.

☐ RELEASE ORDER NO: \_\_\_\_\_

☒ Other: Court notes, gov't provided no reporting instructions.

☒ PSA ☐ USPO ☒ FINANCIAL

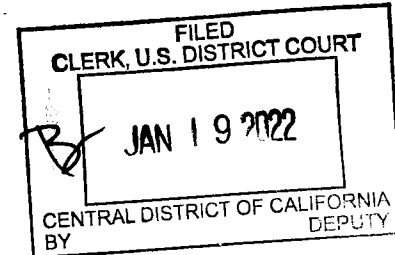
☒ CR-10 ☐ CR-29

☐ READY

Deputy Clerk Initials BM

17

CUAUHTEMOC ORTEGA (Bar No. 257443)  
Federal Public Defender  
ADITHYA MANI (Bar No. 301880)  
(E Mail: Adithya\_Mani@fd.org)  
Deputy Federal Public Defender  
321 E. 2nd. St., Los Angeles, California, 90012



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

United States of America,

Plaintiff,

v.

DAVID BIAS

Defendant.

CASE NUMBER:

22-MJ-224-DUTY

**ADVISEMENT OF  
DEFENDANT'S STATUTORY &  
CONSTITUTIONAL RIGHTS**

You are in the United States District Court for the Central District of California because you have been charged with a crime against the United States or a violation of probation, supervised release, or pretrial release. The Court informs you that you have the following constitutional and statutory rights in connection with these proceedings:

You have the right to remain silent. Anything you say, sign, or write can be used against you in this or in any other case.

If you have not already received a copy of the charges, you will receive a copy today.

You have the right to hire and be represented by a lawyer of your choosing at each and every stage of these proceedings. If you cannot afford to hire a lawyer, you can apply to the Court to have a lawyer appointed to represent you for free from the office of the Federal Public Defender or the Indigent Defense Panel. The application for free counsel includes a financial affidavit, which you must sign under penalty of perjury. If you say something on the form that is not true or leave out material information, you could be charged with another crime, such as perjury or making a false statement.

If you are not a United States citizen, you may request that the prosecution notify your consular office that you have been arrested. Even without such a request, the law may require the prosecution to do so.

**IF YOU ARE MAKING YOUR INITIAL APPEARANCE BEFORE THE COURT**

You have a right to a bail hearing in which the Magistrate Judge will determine whether you will be released from custody before trial. If you disagree with the Magistrate Judge's decision, you can appeal that decision to another Judge of this Court. You or the prosecutor can request that the bail hearing be continued to another day.

If you have been charged by complaint, you are entitled to a preliminary hearing within 14 days if the Magistrate Judge orders that you be detained pending trial, or 21 days if the Magistrate Judge orders that you be released pending trial. In a preliminary hearing, the prosecution will attempt to show that there is probable cause to believe that you committed the crime charged in the complaint. You will not be entitled to a preliminary hearing, however, if the prosecution obtains an indictment in your case before the time set for the preliminary hearing. (Most often, the prosecutors in the Central District of California present their cases to the grand jury before the time set for the preliminary hearing and, therefore, no preliminary hearing is held.)

**IF YOU ARE CHARGED WITH A VIOLATION OF  
YOUR CONDITIONS OF SUPERVISED RELEASE OR PROBATION**

If you are charged with a violation of the terms and conditions of your supervised release or probation and the Magistrate Judge detains you, you have the right to a preliminary hearing before a Magistrate Judge.

### IF YOU ARE CHARGED IN ANOTHER DISTRICT

If you have been arrested on a charge from another district, you are entitled to wait until the prosecution produces a copy of the warrant authorizing your arrest. You are also entitled to an identity hearing in which the prosecution would have the burden of proving there is probable cause to believe that you are the person named in the charges. If you are charged in a complaint from another district, you may request to have a preliminary hearing held in the charging district. If you are charged with a violation of a term of supervised release or probation imposed in another district, you have a right to a preliminary hearing, which may, depending on where the alleged violation occurred, be held either here or in the charging district.

If you want to plead guilty in the Central District of California, you may request to have your case transferred to this district. To proceed in this district, the United States Attorneys for this district and the charging district must agree to the transfer.

### IF YOU ARE APPEARING FOR ARRAIGNMENT

If you have been charged by indictment or information, you will be arraigned and may be asked to enter a not guilty plea today. After your arraignment, your case will be assigned to a District Judge of this Court for all further proceedings, unless a Judge has already been assigned.

You are entitled to a speedy and public trial by jury. The right to a jury trial can be waived.

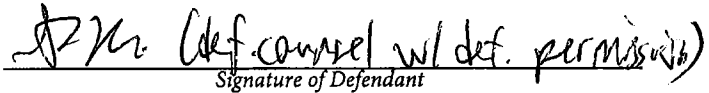
You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. You do not have to prove your innocence. The prosecution has the burden to prove your guilt beyond a reasonable doubt.

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### ACKNOWLEDGMENT OF DEFENDANT:

I have read the above Advisement of Rights and understand it. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: 1/19/2022

  
Signature of Defendant

[or]

I have personally heard a translation in the \_\_\_\_\_ language read to me and understand the above Advisement of Rights.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Defendant

---

### STATEMENT OF THE INTERPRETER:

I have translated this Advisement of Rights to the Defendant in the \_\_\_\_\_ language.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Interpreter

\_\_\_\_\_  
Print Name of Interpreter

---

### STATEMENT OF COUNSEL:

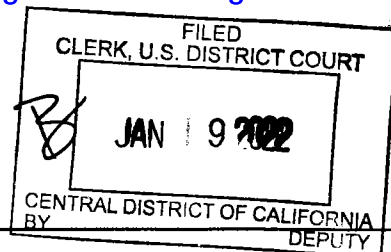
I am satisfied that the defendant has read this Advisement of Rights or has heard the interpretation thereof and that he/she understands it.

Dated: 1/19/2022



\_\_\_\_\_  
Signature of Attorney

NAME & ADDRESS  
ADITHYA MANI (Bar No. 301880)  
(E Mail: Adithya\_Mani@fd.org)  
Deputy Federal Public Defender  
321 E. 2nd St., Los Angeles, CA 90012



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

PLAINTIFF,

v.

DAVID BIAS

DEFENDANT(S).

CASE NUMBER

22-MJ-224-DUTY

CONSENT TO VIDEO/TELEPHONIC CONFERENCE  
AND/OR WAIVER OF DEFENDANT'S PRESENCE

☐ AND PROPOSED FINDINGS/ORDER

Check each that applies:

☒ CONSENT TO VIDEO CONFERENCE/TELEPHONIC CONFERENCE

☐ WAIVER OF DEFENDANT'S PRESENCE

**1. Consent to Video Conference/Telephonic Conference**

I, DAVID BIAS, understand that the U.S. Constitution, the Federal Rules of Criminal

Procedure, and/or one or more federal statutes may give me the right to have all the below-listed proceedings take place in person in open court. After consultation with counsel, I knowingly and voluntarily consent to the proceedings below instead taking place by video conference or, if video conference is not reasonably available, by telephonic conference:

Check each that applies:

☒ Detention/Bail Review/Reconsideration Hearing(s) (18 U.S.C. Sec. 3142)

☒ Initial Appearance (Fed. R. Crim. P. 5)

☐ Preliminary Hearing (Fed. R. Crim. P. 5.1)

☐ Arraignment (Fed. R. Crim. P. 10)

☐ Pretrial Release Revocation Proceedings (18 U.S.C. Sec. 3148)

☐ Waiver of Indictment (Fed. R. Crim. P. 7(b))

☐ Misdemeanor Pleas and Sentencings (Fed. R. Crim. P. 43(b)(2))

☐ Appearances under Fed. R. Crim. P. 40

☐ Probation and Supervised Release Revocation Proceedings (Fed. R. Crim. P. 32.1)

Note: to consent to an appearance by video or telephonic conference at one of the two proceedings listed below, you must also complete the "Proposed Findings" section on page 2 of this form.

☐ Felony Pleas (Fed. R. Crim. P. 11)

☐ Felony Sentencings (Fed. R. Crim. P. 32)

**2. Waiver of Defendant's Presence**

I, \_\_\_\_\_, understand that the U.S. Constitution, the Federal Rules of Criminal

Procedure, and/or one or more federal statutes may give me the right to be present at all of the below-listed proceedings - in person, by video conference, or by telephonic conference. After consultation with counsel, I knowingly and voluntarily waive my right to be present in person in open court or by video conference or by telephonic conference at the proceedings below:

Check each that applies (and use Form CR-35 to waive the defendant's presence at other types of proceedings):

☐ Detention/Bail Review/Reconsideration Hearing(s) (18 U.S.C. Sec. 3142)

☐ Waiver of Indictment (Fed. R. Crim. P. 7(b))

☐ Preliminary Hearing (Fed. R. Crim. P. 5.1)

☐ Appearances under Fed. R. Crim. P. 40


☐ Pretrial Release Revocation Proceedings (18 U.S.C. Sec. 3148)

☐ Misdemeanor Pleas and Sentencings (Fed. R. Crim. P. 43(b)(2))

☐ Probation and Supervised Release Revocation Proceedings (Fed. R. Crim. P. 32.1)

1/19/2022

Date

  
Defendant

☒ Signed for Defendant by Counsel for Defendant with  
Defendant's Authorization [Check if applicable]

I have translated this consent/waiver to the Defendant in the \_\_\_\_\_ language.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Interpreter (if required)

☐ Signed for Interpreter by Counsel for Defendant with  
Interpreter's Authorization [Check if applicable]

I am counsel for the Defendant herein. Prior to the Defendant signing this document or authorizing me to sign this document on the Defendant's behalf, I fully advised the Defendant of the Defendant's above-referenced rights and consulted with the Defendant regarding such rights and the Defendant's consent/waiver(s). I believe that the Defendant understands such rights and that the Defendant's consent/waiver(s) are knowing and voluntary, and I concur with such consent/waiver(s).

1/19/2022  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Counsel for Defendant

---

### 3. Proposed Findings Regarding Harm of Further Delay of Felony Plea or Sentencing

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and § 2 of Order of the Chief Judge No. 20-043 (In Re: Coronavirus Public Emergency Use of Video and Telephonic Conference in Certain Criminal Proceedings), felony pleas and sentencings cannot be conducted other than in person in open court unless the judge makes specific findings that the plea or sentencing "cannot be further delayed without serious harm to the interests of justice." Accordingly, if the defendant intends to consent to a felony plea or sentencing taking place by video conference or, if video conference is not reasonably available, by telephonic conference, instead of in person in open court, the defendant must set forth below proposed findings sufficient to make this showing.

### 4. Order Adopting Findings Regarding Harm of Further Delay of Felony Plea or Sentencing

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and § 2 of Order of the Chief Judge No. 20-043 (In Re: Coronavirus Public Emergency Use of Video and Telephonic Conference in Certain Criminal Proceedings), I hereby find that the:


☐ Felony Plea (Fed. R. Crim. P. 11)

☐ Felony Sentencing (Fed. R. Crim. P. 32)

in this case cannot be further delayed without serious harm to the interests of justice, for the reasons set forth above.

\_\_\_\_\_  
Date

\_\_\_\_\_  
United States District Judge

<b>UNITED STATES DISTRICT COURT</b> <b>CENTRAL DISTRICT OF CALIFORNIA</b>		FILED CLERK, U.S. DISTRICT COURT  <b>JAN 19 2022</b> CENTRAL DISTRICT OF CALIFORNIA BY _____ DEPUTY
UNITED STATES OF AMERICA,  <div style="text-align: center;">v.</div> DAVID BIAS	PLAINTIFF  DEFENDANT.	CASE NUMBER:  22-MJ-224  <div style="text-align: center;"> <b>WAIVER OF RIGHTS</b>  <b>(OUT OF DISTRICT CASES)</b> </div>

I understand that charges are pending in the NORTHERN District of TEXAS alleging violation of 21 USC 846 and that I have been arrested in this district and

*(Title and Section / Probation / Supervised Release)*

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

**-Check one only-**

☒ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**


- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

**I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:**

- ☐ have an identity hearing
- ☒ arrival of process
- ☐ have a preliminary hearing
- ☒ have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- ☐ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

  
 Defendant

  
 Defense Counsel

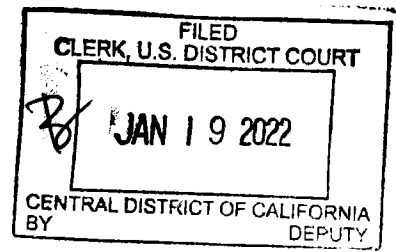
  
 United States Magistrate Judge

Date: 1/19/2022

I have translated this Waiver to the defendant in the \_\_\_\_\_ language.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Interpreter(if required)



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

David Anthony Bias,  
Defendant.

Case No.: 22 MJ 0224

ORDER OF DETENTION

I.

A. ( ) On motion of the Government in a case allegedly involving:

1. ( ) a crime of violence.

2. ( ) an offense with maximum sentence of life imprisonment or death.

3. ( ) a narcotics or controlled substance offense with maximum sentence of ten or more years.

4. ( ) any felony - where defendant convicted of two or more prior offenses described above.

5. ( ) any felony that is not otherwise a crime of violence that involves a minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.



1 B. (✓) On motion by the Government/( ) on Court's own motion, in a case  
2 allegedly involving:

3 (✓) On the further allegation by the Government of:

4 1. (✓) a serious risk that the defendant will flee.

5 2. ( ) a serious risk that the defendant will:

6 a. ( ) obstruct or attempt to obstruct justice.

7 b. ( ) threaten, injure or intimidate a prospective witness or  
8 juror, or attempt to do so.

9 C. The Government ( ) is/( ) is not entitled to a rebuttable presumption that no  
10 condition or combination of conditions will reasonably assure the defendant's  
11 appearance as required and the safety of any person or the community.  
12

## 13 II.

14 A. (✓) The Court finds that no condition or combination of conditions will  
15 reasonably assure:

16 1. (✓) the appearance of the defendant as required.

17 ( ) and/or

18 2. ( ) the safety of any person or the community.

19 B. ( ) The Court finds that the defendant has not rebutted by sufficient evidence to  
20 the contrary the presumption provided by statute.  
21

## 22 III.

23 The Court has considered:

24 A. (✗) the nature and circumstances of the offense(s) charged, including whether  
25 the offense is a crime of violence, a Federal crime of terrorism, or involves  
26 a minor victim or a controlled substance, firearm, explosive, or destructive  
27 device;

28 B. (✗) the weight of evidence against the defendant;

- 1 C. (X) the history and characteristics of the defendant; and  
2 D. (X) the nature and seriousness of the danger to any person or the community.  
3

4 IV.

5 The Court also has considered all the evidence adduced at the hearing and the  
6 arguments and/or statements of counsel, and the Pretrial Services  
7 Report/recommendation.  
8

9 V.

10 The Court bases the foregoing finding(s) on the following:

- 11 A. (✓) As to flight risk:

12 unemployed

13 apparently fled at first arrest attempt at high speed

14 traveled all over country to commit alleged crimes

15 ongoing substance abuse

16 prior DMV failure to appear

17 unsuitable residence b/c father facilitated flight  
18  
19  
20

- 21 B. (✓) As to danger:

22 ongoing substance abuse  
23  
24  
25  
26  
27  
28

VI.

- A. ( ) The Court finds that a serious risk exists the defendant will:
1. ( ) obstruct or attempt to obstruct justice.
  2. ( ) attempt to/ ( ) threaten, injure or intimidate a witness or juror.
- B. The Court bases the foregoing finding(s) on the following:

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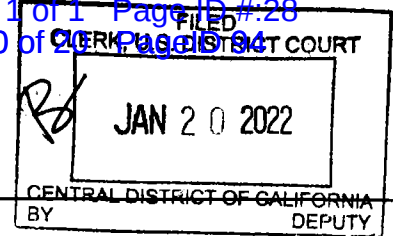
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VII.

- A. IT IS THEREFORE ORDERED that the defendant be detained prior to trial.
- B. IT IS FURTHER ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
- C. IT IS FURTHER ORDERED that the defendant be afforded reasonable opportunity for private consultation with counsel.
- D. IT IS FURTHER ORDERED that, on order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined deliver the defendant to a United States marshal for the purpose of an appearance in connection with a court proceeding.

DATED: Jan 19, 2022

  
\_\_\_\_\_  
JEAN ROSENBLUTH  
U.S. MAGISTRATE JUDGE



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

United States of America,

PLAINTIFF(S)

v.

David Bias,

DEFENDANT(S).

CASE NUMBER:

22-MJ-0224-Duty

FINAL COMMITMENT AND WARRANT OF REMOVAL

Northern District of Texas

At

(City)

To: United States Marshal for the Central District of California

The above-named defendant is hereby remanded to your custody and you are hereby ORDERED to remove him/her forthwith, along with a certified copy of this Commitment, to the custodian of a place of confinement within the District of Origin, approved by the Attorney General of the United States, where the defendant shall be received and safely kept until discharged in due course of law.

This defendant was arrested in this District after the filing of a(n):

- |                                                |                                             |                                             |                                           |
|------------------------------------------------|---------------------------------------------|---------------------------------------------|-------------------------------------------|
| <input checked="" type="checkbox"/> Indictment | <input type="checkbox"/> Information        | <input type="checkbox"/> Complaint          | <input type="checkbox"/> Order of court   |
| <input type="checkbox"/> Pretrial Release      | <input type="checkbox"/> Probation          | <input type="checkbox"/> Supervised Release | <input type="checkbox"/> Violation Notice |
| <input type="checkbox"/> Violation Petition    | <input type="checkbox"/> Violation Petition | <input type="checkbox"/> Violation Petition |                                           |

charging him or her with (brief description of offense)

☒ in violation of Title 21 United States Code, Section (s) 846

☐ in violation of the conditions of his or her pretrial release imposed by the court.

☐ in violation of the conditions of his or her supervision imposed by the court.

The defendant has now:

- ☒ duly waived arrival of process.
- ☒ duly waived identity hearing before me on 1/19/2022
- ☐ duly waived preliminary hearing before me on \_\_\_\_\_
- ☐ had a preliminary hearing before me on \_\_\_\_\_, and it appears that there is probable cause to believe that the offense so charged has been committed and that the defendant has committed it.
- ☐ had an identity hearing before me on \_\_\_\_\_, and it appears that the defendant is the person named as charged, and:
- ☐ Bail has been set at \$ \_\_\_\_\_ but has not been posted.
- ☒ No bail has been set.
- ☒ Permanent detention has been ordered.
- ☐ Temporary detention has been ordered.

1/20/2022  
Date

*Mr. Puenhutz*  
United States Magistrate Judge

RETURN

Received this commitment and designated prisoner on \_\_\_\_\_, and on \_\_\_\_\_ committed him to \_\_\_\_\_ and left with the custodian at the same time a certified copy of the within temporary commitment.

United States Marshal, Central District of California

Date

Deputy